

REMARKS

Claim Rejections

Claims 1-7 and 16 are rejected under 35 U.S.C. § 112, second paragraph. Claims 1, 8-9, 15 and 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Mao et al. (U.S. 2004/0223204). Claims 1-9 and 15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicant's admitted prior art. Claims 10-14, 16 and 21-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Drawings

Applicant proposed to amend Figures 1 and 2, as illustrated in red on the attached photocopies. In Figures 1 and 2, it is proposed to add the label --PRIOR ART--. No "new matter" has been added to the original disclosure by the proposed amendments to these figures. It is believed the foregoing proposed amendments obviate the outstanding objections to the drawings. Approval of the proposed drawing changes is respectfully requested.

Amendments to Specification

Applicant has amended the specification as noted above to cure obvious grammatical and idiomatic inaccuracies and to provide proper antecedent basis for the reference numbers shown in the figures as originally filed with this application. No "new matter" has been added to the original disclosure by the foregoing amendments to the specification.

Claim Amendments

By this Amendment, Applicant has canceled claim 17 and has amended claims 1-7, 16 and 21-23 of this application. It is believed that the amended claims specifically set forth each element of Applicant's invention in full compliance with 35 U.S.C. § 112, and define subject matter that is patentably distinguishable over the cited prior art.

Claims 21-23 have been amended to include the language of claim 17, thereby

Application No. 10/646,927

IN THE DRAWINGS:

Please amend Figures 1 and 2, as illustrated in red on the attached photocopies.

Application No. 10/646,927

redrafting the claims in independent form. Since no prior art was cited against the claims, it is believed that claims 21-23 are in condition for allowance.

Mao et al. teaches a bistable latching actuator including a movable fingers (37, stationary fingers (38), and springs (16, 17, 22).

Mao et al. do not teach the set of suspended springs has a thickness that is less than a thickness of each of the set of movable comb finger electrodes and the set of stationary comb finger electrodes in a perpendicular out-of-plane direction to said substrate of the device.

Applicant's admitted prior art does not teach the set of suspended springs has a thickness that is less than a thickness of each of the set of movable comb finger electrodes and the set of stationary comb finger electrodes in a perpendicular out-of-plane direction to said substrate of the device.

Neither Mao et al. nor Applicant's admitted prior art disclose, or suggest a modification of their specifically disclosed structures that would lead one having ordinary skill in the art to arrive at Applicant's claimed structure. Applicant hereby respectfully submits that no combination of the cited prior art renders obvious Applicant's amended claims.

Summary

In view of the foregoing amendments and remarks, Applicant submits that this application is now in condition for allowance and such action is respectfully requested. Should any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, it is urged that Applicant's local attorney be contacted at the exchange listed below.

Respectfully submitted,

Date: April 28, 2005

By: 

Bruce H. Troxell
Reg. No. 26,592

TROXELL LAW OFFICE PLLC
5205 Leesburg Pike, Suite 1404
Falls Church, Virginia 22041
Telephone: 703 575-2711
Telefax: 703 575-2707